

BOARD OF VIEWERS REPORT

TO: Yellowstone County Board of County Commissioners
FROM: Board of Viewers
DATE: December 2, 2020
SUBJECT: *PETITION TO ABANDON VARIOUS ROADS IN WEST MEADOWS
SUBDIVISION, LOCATED IN YELLOWSTONE COUNTY, MONTANA*

BACKGROUND

A field inspection to view this petition was conducted on November 19, 2020 by Mike Black – PE, Jeff Martin, Scott Walker, and John Ostlund. Donald W. Jones visited the site on a separate date and is familiar with the area.

The following people comprised the Board of Viewers:

Mike Black, PE,	Senior Yellowstone County Civil Engineer
Scott Walker,	Billings City / Yellowstone County Planning Department
Jeff Martin,	Yellowstone County Clerk and Recorder
John Ostlund,	Yellowstone County Commissioner
Donald W. Jones,	Yellowstone County Commissioner

FINDINGS

Yellowstone County has received a petition to abandon the following in the subject subdivision:

- Zanes Circle,
- West Bird Way,
- Blue Still Circle,
- White Pine Circle.
- A portion of Vescue Way.

These portions of right-of-way have not been used for roads or alleys in the recent past. These roads and alleys were dedicated as public roads as part of the of the subdivision located in Yellowstone County.

The petition to abandon these roads was received from Jerry Krushensky, who owns the adjacent lands. The petitioner intends to replat lands using a different configuration of roads and lots. The petition was received on September 2, 2020.

The petitioner desires to eliminate the public rights-of-way of these portions of roads to better use land for a different configuration. These portions of roads have not been used for roads in the recent past and are not anticipated to be used for roads in the future.

Legal and physical access will be provided, as a condition to abandonment, to all resulting – replatted – affected parcels.

Yellowstone County agrees to this proposal, provided that the conditions stated below in the recommendations are met. Yellowstone County has no need or interest in the use of these portions of roads for current or future roadway purposes.

From the review of this petition, it appears that legal access will continue to be provided to all abutting private lands. Based on the information above the abandonment of this portion of road appears logical.

RECOMMENDATIONS

The Board of Viewers recommends conditional approval of the abandonment of the portions of the above stated roads in the West Meadows Subdivision in Yellowstone County, subject to the following conditions:

1. Petitioner shall submit and file (record) an amended plat, aggregating the portions of roads into the adjacent resultant parcels,
2. Petitioner shall provide access (either road dedication on amended plat, or road easement on amended plat) to the park that was dedicated with the original subdivision plat,
3. Petitioner has one year to complete all conditions for abandonment to be finalized.


Respectfully Submitted,

Board of Viewers

Mike Black, PE
Senior Yellowstone County Civil Engineer

 12-2-2020
Date

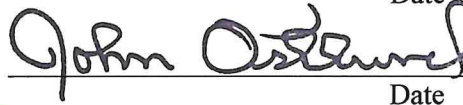
Scott Walker
City / County Planning Department

 12-2-20
Date

Jeff Martin
Yellowstone County Clerk and Reorder

 12/2/2020
Date

John Ostlund
Yellowstone County Commissioner

 12-2-2020
Date

Donald W. Jones
Yellowstone County Commissioner

 12-3-20
Date